

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EASTMAN KODAK COMPANY,

Plaintiff,

v.

SUN MICROSYSTEMS, INC.,

Defendant.

MBD No. 03-MC-10333-DPW

STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME FOR SUBMISSION OF
OPPOSITION TO MOTION TO QUASH
SUBPOENA SERVICE ON APPLIX, INC.

Both parties, Sun Microsystems, Inc. ("Sun") and Applix, Inc. ("Applix"), through their attorneys, hereby stipulate to their consent to extend the time for submission of Opposition of Motion by fourteen (14) days in the above matter, and move the Court to approve the time extension. Opposition Motions in this matter will be due on Monday, December 15, 2003.

Counsel for Applix, Michael P. Giunta, orally agreed to this stipulation and Mr. Giunta's signature is signed by counsel for Sun, with Mr. Giunta's consent.

Dated: November 25, 2003

SUN MICROSYSTEMS, INC.
By its Attorneys



Lisa Schwartz Kirby
BBO No. 647007
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
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Dated: November 25, 2003

APPLIX, INC.
By its Attorneys



Michael P. Giunta
Donovan Hatem LLP
Two Seaport Lane
Boston, Massachusetts 02210
Telephone: (617) 406-4500
Facsimile: (617) 406-4501

IT IS SO ORDERED.

Dated: _____, 2003

Hon. Joyce London Alexander
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, Janice R. Johnstone, declare:

I am employed in Santa Clara County, State of California. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

On this date, I served:

Stipulation and [Proposed] Order Extending Time for Submission of Opposition to Motion to Quash Subpoena Service on Applix, Inc.

- ☒ By facsimile and consigning the document(s) to an express mail service for guaranteed next day delivery to the following person(s):

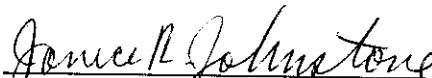
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I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of documents for delivery according to instructions indicated above. In the ordinary course of business, documents would be handled accordingly.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on November 25, 2003.


Janice R. Johnstone